



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/502,020

04/20/2005

Kjell Lindskog

PAH-104

8970

7590

10/28/2008

Mark P Stone
4th Floor
25 Third Street
Stamford, CT 06905

EXAMINER

BROWN, VERNAL U

ART UNIT

PAPER NUMBER

2612

MAIL DATE

DELIVERY MODE

10/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/502,020	Applicant(s) LINDSKOG, KJELL	
	Examiner VERNAL U. BROWN	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2612

DETAILED ACTION

In view of the Appeal Brief filed on August 13, 2008, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 8-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kniffin et al. US Patent 5,705,991 in view of Mellen et al. US Patent 6384709 and further in view of Levy US Patent 4884507

Art Unit: 2612

Regarding claim 1, Kniffin et al. teach of a process of opening a container for the transportation of Valuable objects, in the form of a delivery truck container 62, shown in Figure 4. The container 62 includes the claimed first electronic unit (2), in the form of an access control device 64, which functions to allow opening of the container 62 and guards against unauthorized opening {see Kniffin et al, column 8, lines 15-19}. Kniffin teaches a primary key device use for communicating with the electronic unit in order to initiate opening of the container (col. 3 lines 52-64, col. 8 lines 30-42). Kniffin et al. teaches that in a high security operation the opening of the container at an intended destination requires the presence of two or more users and the two or more users must be detected within a given period of time such as 60 seconds (col. 9 lines 26-37) and the detection of the user is defined as the detection of the key device carried by the user (col. 8 lines 32-35). The detection of the two or more user is therefore considered as the presentation of the code subset and providing a complete code set base on the simultaneous co-action between the first and second user key device. Kniffin is silent on teaching a primary key is carried by a person transporting the container and the container includes means for destroying the valuable objects contained in the container when the container is not open by the correct codeset. Mellen et al. in an analogous art teaches a primary key is carried by a person transporting the container (col. 6 lines 28-37) and the reference of Levy teaches means for destroying the valuable objects or documents contained said in container when said container is manipulated unlawfully (i.e. see Abstract).

It would have been obvious to one of ordinary skill in the art for the primary key is carried by a person transporting the container and the container includes means for destroying the valuable objects contained in the container when the container is not open by the correct

Art Unit: 2612

codeset as disclosed in Mellen et al. in view of Levy because this improves the security of container by providing an extra level of security.

Regarding 2, Kniffin et al. teach in column 8, lines 44-49, that "the truck senses the absence of an identification device or the absence of an identification device that does not correspond to an authorized stop", which implies that the secondary key, in the form of a proximity card or an electronic key carried by a manager {see Kniffin et al, column 8, lines 32-35+} includes a third electronic unit, in the form of a memory, for storing an authorized location code or identity code of the authorized scheduled stop.

Regarding claim 3, Kniffin et al. teach of a truck delivery schedule comprising of several scheduled stops so that after the first scheduled stop, the process of authentication performed on the first scheduled stop is repeated {see Kniffin et al, column 8, lines 42-43}. It is implied that the location ID of the second stop differs from the location ID of the first stop, which corresponds to the claimed "there is placed at said destinations secondary keys (20) that have mutually varying code subsets." Also see Kniffin et al, column 9, lines 11-22.

Regarding claim 4, Kniffin et al. teach of limiting the period of authorization in any of the scheduled delivery stops {see Kniffin et al, column 8, lines 55-65}.

Regarding claim 5, Kniffin et al. teach of a delivery truck, which implies limiting the scheduled delivery stops of the truck to geographical land-based area.

Regarding claim 10, claim 10 recites the elements of claim 2 and therefore rejected on the same basis.

Referring to claim 11, Kniffin et al. teach that the system shown in Figure 4 is used in conjunction with authorized scheduled stops at various geographical locations {see Kniffin et al,

Art Unit: 2612

column 8, lines 62-67 and column 9, lines 14-18}.

Referring to claim 12 recites the limitations of claim 3 and therefore rejected on the same basis, wherein the order of delivery stops in Kniffin et al is considered functionally equivalent to the claimed "respective destination places along a transportation route" {see Kniffin et al, column 8, lines 42-43 and lines 62-65; column 9, lines 11-22+}.

Regarding claims 8-9, claim 8-9 recite the elements of claim 2 except, Kniffin et al does not show a first or second casing, as claimed. The Examiner is taking Official notice that ID devices, such as key fobs, are encapsulated in a casing to protect the circuitry of the electronic device from damage. As such, it would have been obvious to one of ordinary skill in the art, at the time of applicant's invention, to encapsulate the ID device 70 and proximity card of Kniffin et al in a first and second casing, as shown in Figure 4, because the first and second casing will advantageously be utilized to protect the ID device and proximity card circuitry from damage and protect the user from getting electrocuted, the same way car remote controllers (i.e. key fobs) are protected with a casing.

Referring to claim 13 recites the limitations of claim 10 and therefore rejected on the same basis.

Regarding claims 14-17, claims 14-17 recite the limitations of claim 8 and therefore rejected on the same basis.

Regarding claims 18-20, claims 18-20 recite the limitations of claim 3, wherein the various scheduled stops of the truck are considered as functionally equivalent to the claimed "different geographical destinations" {see Kniffin et al, column 8, lines 42-43 and column 9, lines 11-22+}.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kniffin et al. US Patent 5,705,991 in view of Mellen et al. US Patent 6384709 in view of Levy US Patent 4884507 and further in view of Giessler US Patent 6538557.

Regarding claim 6 and 7, Kniffin did explicitly disclose blocking a lost key and replacing the lost key with a new key. However, at the time of applicant's invention, these claim limitations would have been obvious in the system of Kniffin, to one of ordinary skill in the art because losing a key means that the delivery truck of Kniffin et al cannot be accessed. Giessler, in an analogous art, teaches, "When a key is lost, stolen, or misplaced, then the key should be replaced and blocked" {see Giessler, column 5, lines 56-63+}. Giessler suggests that it is advantageous to block a lost or stolen key because it prevents a thief from using the stolen key and other keys remain authorized so that the vehicle can continue to be used for access {see Giessler, paragraph bridging columns 1 and 2}.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VERNAL U. BROWN whose telephone number is (571)272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vernal U Brown/
Examiner, Art Unit 2612

/Brian A Zimmerman/
Supervisory Patent Examiner, Art Unit 2612